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7 **UNITED STATES DISTRICT COURT**
8 **WESTERN DISTRICT OF WASHINGTON**
9 **AT SEATTLE**

10 JOHN ROBERT DEMOS, JR.,

11 Petitioner,

12 v.

13 STATE OF WASHINGTON, et al.,

14 Respondents.

15 NO. C14-651-RSL-JPD

16 REPORT AND
17 RECOMMENDATION

18 Bar-order litigant John Demos filed a proposed 28 U.S.C. § 2254 habeas petition.

19 Dkt. 1. He has neither paid the filing fee nor filed an application to proceed *in forma pauperis*.
20 An Order of this Court provides for the return without filing of any petition by Mr. Demos that
21 seeks an extraordinary writ pursuant to 28 U.S.C. §§ 1651, 2253 or 2254, unless accompanied
22 by the filing fee. *See Demos v. Stanley*, MC97-0031-JLW (W.D. Wash. Mar. 13, 1997).

23 As petitioner has submitted no filing fee, the Court recommends that, pursuant to the
24 Court's Order of March 13, 1997, the Clerk be DIRECTED to administratively close this
25 matter and to strike any pending motions as moot. Moreover, Mr. Demos may not proceed
26 with a second or successive habeas petition here unless and until the Ninth Circuit authorizes
its filing. *See 28 U.S.C. § 2244(b)(3)(A)*.

1 Objections to this Report and Recommendation, if any, should be filed with the Clerk
2 and served upon all parties to this suit by no later than **June 9, 2014**. Failure to file objections
3 within the specified time may affect your right to appeal. Objections should be noted for
4 consideration on the District Judge's motion calendar for the third Friday after they are filed.
5 Responses to objections may be filed within fourteen (14) days after service of objections. If
6 no timely objections are filed, the matter will be ready for consideration by the District Judge
7 on **June 13, 2014**. A proposed Order is attached.

8 DATED this 19th day of May, 2014.

9 
10 JAMES P. DONOHUE
11 United States Magistrate Judge

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